

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

HONORA HILLIER

PLAINTIFF

VS.

CAUSE NO. 1:08-cv-00671-LTS-RHW

USAA CASUALTY INSURANCE COMPANY

DEFENDANT

UNOPPOSED MOTION TO SEAL DOCUMENTS

COMES NOW the Defendant, USAA Casualty Insurance Company (“USAA CIC”), and requests this Court allow certain exhibits attached to Defendant’s Motion to Exclude the Testimony of Jo Ann B. Fineman (Doc. 83) and Plaintiff’s Motion to Exclude the Testimony of Mark Webb (Doc. 77) be filed under seal in order to protect the personal and confidential medical information contained therein. The undersigned counsel has consulted with counsel for Honora Hillier, and Hillier is not opposed to the sealing of the exhibits.

On November 3, 2009, USAA CIC filed its Motion to Exclude the Testimony of Jo Ann B. Fineman, M.D. with the Court. As Exhibit “1,” USAA CIC referenced the report of Dr. Fineman which includes personal and confidential medical information relating to the Plaintiff.

Also on November 3, 2009, the Plaintiff filed her Motion to Exclude the Testimony of Mark Webb. As Exhibit “A,” the Plaintiff referenced the report of Dr. Mark Webb which includes personal and confidential medical information relating to the Plaintiff.

In an effort to protect the personal and confidential information of the Plaintiff, USAA CIC requests that the Court allow Exhibit “1” to USAA CIC’s Motion to Exclude the Testimony of Jo Ann B. Finemann and Exhibit “A” to Plaintiff’s Motion to Exclude the Testimony of Mark Webb be filed as sealed documents with the court. Defendant has previously mailed its exhibit

to the Court, but was instructed that a Motion to Seal must be granted prior to the document being sealed.

WHEREFORE, PREMISES CONSIDERED, USAA CIC respectfully requests the Court grant its motion to seal the exhibits described herein.

Respectfully submitted this the 9th day of December, 2009.

USAA CASUALTY INSURANCE COMPANY

By: /s/ Charles P. Copeland
ROBERT P. THOMPSON (MSB#8188)
CHARLES P. COPELAND (MSB#135240)

Of Counsel:

COPELAND, COOK, TAYLOR AND BUSH, P.A.

600 Concourse, Suite 100
1076 Highland Colony Parkway (39157)
Post Office Box 6020
Ridgeland, Mississippi 39158
Telephone No.: (601) 856-7200
Facsimile No.: (601) 856-7626

CERTIFICATE OF SERVICE

I, Charles P. Copeland, hereby certify that on December 9, 2009, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following persons, and if such persons are not registered to receive filings pursuant to the CM/ECF system, the foregoing document will be delivered by other means:

Tina L. Nicholson, Esq.
Merlin Law Group, PA
Three Riverway, Suite 1375
Houston, TX 77056
tnicholson@merlinlawgroup.com

This the 9th day of December, 2009.

/s/Charles P. Copeland
Charles P. Copeland